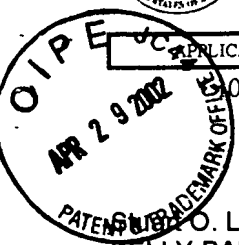




## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov



APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
00/073,086	02/09/2002	James Englar	40603-Simplot

CONFIRMATION NO. 3094

## FORMALITIES LETTER



\*OC00000007600637\*

James O. Lowry  
KELLY BAUERSFELD LOWRY & KELLEY, LLP  
Suite 1650  
6320 Canoga Avenue  
Woodland Hills, CA 91367

RECEIVED

MAR 11 2002

KELLY BAUERSFELD LOWRY &amp; KELLEY

Date Mailed: 03/07/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The signature of the following inventor(s) is missing from the oath or declaration:  
*Juan Gonzalez and Scott Howell*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**
- does not identify each inventor by full name, including the family name and at least one given name without abbreviation.

*A copy of this notice **MUST** be returned with the reply.*

Muluemebet Gebres  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

05/01/2002 NMOHAMM1 00000056 10073086


01 FC:105

130.00 OF

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Assistant Commissioner for Patents,  
Washington, D.C. 20231-9999, on April 18, 2002

COPY OF PAPERS  
ORIGINALLY FILED

PATENT

  
Scott W. Kelley, Reg. No. 30,762      April 18, 2002  
Date



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	)	Group Art Unit: 1761
	)	
<b>James Englar et al.</b>	)	Examiner:
	)	
Serial No. 10/073,086	)	
	)	
Filed: February 9, 2002	)	Docket No. 40603-Simplot
	)	
For: <b>POTATO-STRIP CUTTING</b>	)	
<b>DECELERATION SYSTEM</b>	)	
_____	)	

**RESPONSE TO "NOTICE TO FILE MISSING PARTS OF**  
**NONPROVISIONAL APPLICATION"**  
**- FILING DATE GRANTED**

Box MISSING PARTS  
Assistant Commissioner for Patents  
Washington, D.C. 20231-9999

Dear Sir:

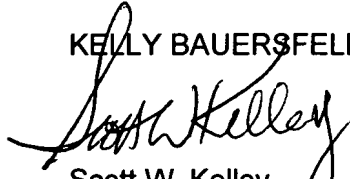
In response to the Notice to File Missing Parts of Nonprovisional Application (Filing Date Granted), mailed March 7, 2002, applicants submit herewith an appropriate Declaration/Power of Attorney executed by the co-inventors Juan Gonzalez and Scott Howell, and which refers to this application by serial number and filing date.

Applicants also submit herewith the appropriate surcharge pursuant to 37 CFR  
1.16(l) in the amount of \$130.00.

A copy of the PTO "Notice to File Missing Parts ..." is also submitted herewith.

Respectfully submitted,

KELLY BAUERSFELD LOWRY & KELLEY, LLP

A handwritten signature in black ink, appearing to read "Scott W. Kelley", is written over the printed name.

Scott W. Kelley  
Registration No. 30,762

SWK:cw  
Enclosures

6320 Canoga Avenue, Suite 1650  
Woodland Hills, California 91367  
(818) 347-7900

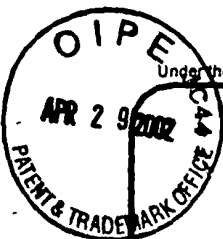
Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0851-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/073,086
Filing Date	February 9, 2002
First Named Inventor	James Englar
Group Art Unit	
Examiner Name	
Attorney Docket Number	40603-Simplot

Total Number of Pages in This Submission

## ENCLOSURES (check all that apply)

- |   |   |  |
|---|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form                              | <input type="checkbox"/> Assignment Papers (for an Application)                         | <input type="checkbox"/> After Allowance Communication to Group                            |
| <input checked="" type="checkbox"/> Fee Attached                                      | <input type="checkbox"/> Drawing(s)   | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences        |
| <input type="checkbox"/> Amendment / Reply  | <input type="checkbox"/> Licensing-related Papers                                       | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final  | <input type="checkbox"/> Petition   | <input type="checkbox"/> Proprietary Information   |
| <input type="checkbox"/> Affidavits/declaration(s)                                    | <input type="checkbox"/> Petition to Convert to a Provisional Application               | <input type="checkbox"/> Status Letter   |
| <input type="checkbox"/> Extension of Time Request                                    | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Other Enclosure(s) (please identify below):                       |
| <input type="checkbox"/> Express Abandonment Request                                  | <input type="checkbox"/> Terminal Disclaimer  |  |
| <input type="checkbox"/> Information Disclosure Statement                             | <input type="checkbox"/> Request for Refund   |  |
| <input type="checkbox"/> Certified Copy of Priority Document(s)                       | <input type="checkbox"/> CD, Number of CD(s) _____                                      |  |
| <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application | Remarks   |  |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53          |   |  |

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Scott W. Kelley KELLY BAUERSFELD LOWRY & KELLEY, LLP
Signature	
Date	April 18, 2002

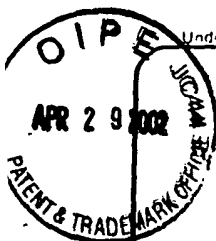
## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 04/18/2002

Typed or printed name	Scott W. Kelley	Date	April 18, 2002
Signature			

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$ 130.00

## Complete if Known

Application Number	10/073,086
Filing Date	February 9, 2002
First Named Inventor	James Englar
Examiner Name	
Group Art Unit	
Attorney Docket No.	40603-Simplot

## METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit  
Account  
NumberDeposit  
Account  
Name
☐ Charge Any Additional Fee Required  
Under 37 CFR 1.18 and 1.17

☐ Applicant claims small entity status.  
See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money  
Order ☐ Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
101	740	201	370	Utility filing fee
106	330	206	165	Design filing fee
107	510	207	255	Plant filing fee
108	740	208	370	Reissue filing fee
114	160	214	80	Provisional filing fee

Fee Paid

SUBTOTAL (1) (\$ 0

## 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
25	25	0	0
3	3	0	0

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0

\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	130
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 130.00

## SUBMITTED BY

## Complete (if applicable)

Name (Print/Type)

Scott W. Kelley

Registration No.  
(Attorney/Agent)

30,762

Telephone

818-347-7900

Signature

Date

April 18, 2002

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